REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 3-9, 11-17, 19-25, and 27-32 are pending in this application. Claims 2, 10, 18, and 26 are canceled herein without prejudice. Claims 1-32 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,018,619 to Allard et al. (herein "Allard").

Addressing the above-noted rejection to claims 1-32 over Allard, that rejection is traversed by the present response.

It is initially noted that each of independent claims 1, 9, 17, and 25 is amended by the present response to clarify features recited therein.

The claimed invention is directed to a system, a method, and a computer program product that all operate to monitor usage of an interface of a target application, the interface including a plurality of operations to be selected by a user, and that then send a message with a log file of monitored usage data to a destination.

The claims are amended to now clarify that the interface is part of a device, see for example device 300 in Figures 9-11 in the present specification. Further, in the monitoring operation performed in the present invention the log of the monitored data is "stored in the device". As evident for example from Figure 9 in the present specification, the monitoring and logging unit 515 is part of the device 300.

More particularly, in the claimed invention, and with reference to Figures 9-11 in the present specification as a non-limiting example, a device 300 includes a user interface 510. Figures 10 and 11 show specific embodiments of user interfaces 600, 700, the embodiment of Figure 10 showing a monitor 600 of a workstation as a user interface and the embodiment of Figure 11 showing an operation panel 700 of an image forming device as a user interface. (See also the present specification at page 18, line 11, to page 19, line 24.)

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Further, in the claimed invention a monitoring is executed to monitor data of selecting of the plurality of operations of the interface by the user, and to encode and store the monitored data into a log file in the device. (See for example the monitoring block 1200 in Figures 12A, 12B, which includes an encoding operation 1610 and a logging operation 1315, and the corresponding discussion in the present specification at page 20, line 6 et seq.)

Further, a communicating device receives the log file of the monitored data, decodes the stored encoded log file, creates a message of the monitored data, and communicates the message of the monitored data. (See for example the sending block 1600 in Figures 12A, 12B and also Figure 17 in the present specification.)

Further, the monitoring device includes a control to automatically start the monitoring, without an input from a device to which the message of the monitored data is to be communicated. (See for example the present specification at page 21, line 19 et seq., and particularly lines 19-20 that state that Figure 13 shows that when a target application starts up a startMonitoring function is called. As evident from that discussion in the present specification and from Figure 13 no input from a device to which the message of the monitored data is to be communicated is needed to begin the monitoring operation.)

Further, the communicating device includes a control to automatically communicate the message of the monitored data by a unidirectional communication without requiring input from the device to which the message of the monitored data is to be communicated. (That subject matter is evident from Figure 17 in the present specification showing the operation of the sending block 1600 and the corresponding description thereof in the present specification at page 27, line 21 et seq. At that portion it is clear that the message of the monitored data is sent without requiring an input from the device to which the message of the monitor data is to be communicated.)

Thereby, each of independent claims 1, 9, 17, and 25, and thus the claims dependent therefrom, require either a monitoring device or a monitoring operation to "automatically start the monitoring, without an input from a device to which the message of the monitored data is to be communicated".

Each of independent claims 1, 9, 17, and 25, and thereby the claims dependent therefrom, also require either a communication device or a communication operation to "automatically communicat[e] the message of the monitored data by a unidirectional communication without requiring input from the device to which the message of the monitored data is to be communicated"

Such features positively recited in the claims set forth an operation and structure that clearly differs from the teachings in Allard.

The claims as currently written are directed to a system, method, or computer program product that includes an interface with a plurality of options to be selected by a user. The user's selection of those pluralities of options is monitored, encoded, and stored into a log file in the device, all without an input from a device that ultimately will receive the log file. A communicating device receives the log file of the monitored data, decodes the stored encoded log file, creates a message of the monitored data, and communicates that message of the monitored data by a unidirectional communication without requiring input from a device to which the message of the monitored data is communicated. That is, in the claimed invention the destination device to which the monitored data is to be communicated does not need to establish a prior connection to the communicating device, nor does that destination device need to provide any instructions for authorization of the monitoring, encoding, storing, or communicating operations.

Allard is directed to a method for tracking usage patterns of users of hyper-media systems such as on the World-Wide-Web (WWW). In order for the system of Allard to

properly operate, a client system server (i.e. the destination device to which the tracked data is to be sent) must be connected at the time of an initial session beginning. That operation is evident for example in Figure 3 of Allard in which step 54 monitors a session beginning event, and when a session beginning event is detected, contact with a server is initiated in step 60. Then in step 64 the server (i.e. the destination device) must make an acknowledgment. Thus, in Allard before any monitoring operation can be executed, contact with a server must be initiated, and a server acknowledgment, i.e., an input from the destination device server, is then required. From such an operation it is clear that Allard requires a client system connected to a server destination device through a bi-directional communication connection and with a required input from the server destination device to even begin the monitoring operation.

Further, in Allard the devices being monitored are the clients 16 and 20, see for example Figure 1. However, in Allard those clients 16 and 20 do not themselves store any log of monitored data. Instead, in Allard the log of the monitored data is stored in a tracking client such as usage log 38, 48, see for example Figure 2, which is part of a server system which the clients 16 and 20 log into.

Such differences between the claimed invention and the device in Allard results from the claimed invention and the device of Allard having fundamentally different objectives. One objective of the claimed device is to provide a simple system that can monitor a user's usage of an interface of a device itself, such as an image forming device. In contrast, Allard is only directed to how different websites are utilized by a user. In Allard a user's usage of the actual client 16, 20 is not relevant, but only how the user utilizes a website is relevant in Allard.

Stated another way, the claimed invention is directed to monitoring how a user uses an interface on a device such as an image forming apparatus. Allard teaches no such features.

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For <u>Allard</u> to teach such features, <u>Allard</u> would have to be concerned with how the interfaces on the clients 16, 20 were utilized. <u>Allard</u> is not concerned with such features but is only concerned with how a user of the client 16, 20 searches utilizes the world wide web (www). In such ways, <u>Allard</u> clearly does not teach or suggest the claimed feature of the device including the interface being monitored also operating to store the log of the monitored data in that same device, as now required in each of the independent claims.

Moreover, the noted claims differ from such teachings in <u>Allard</u> as in the claims as currently written there is no bi-directional communication required, i.e. no input is needed from a destination server, to begin the monitoring operation or to communicate the message of the monitored data. That is, in the noted claims the monitoring starting and the communication of the message of the monitored data does not require input from a device to which the message of the monitored data is to be communicated, and thus only a unidirectional is needed for those operations in the claims as currently written in direct contrast to the disclosure in <u>Allard</u>.

In such ways, each of independent claims 1, 9, 17, and 25, and the claims dependent therefrom, distinguish over <u>Allard</u>.

In addressing the arguments noted above, the Office Action of November 19, 2003, makes the following statements:

> This [above-noted applicants' arguments] is not found persuasive. One feature of the present invention is to monitor a user's usage, and effectively communicate data of the monitored usage by email (Please refer [to] page 18 line 3 to line 10 of applicants' disclosure statement). As illustrated in Fig. 6A the communication agent between component 308 and 312 is TCP/IP connection component 308 (Please refer [to] page 14 line 3 to 24 of applicants' disclosure statement). Therefore, although there is unidirectional traffic is originated between sender 308 and receiver 308, but this invention is inherently capable to send and manage bi-direction mode.
>
> Therefore, the examiner asserts that APA does teach or suggest the subject matter broadly recited in independent

Claims 1, 9, 17, 25, and dependent Claims 2-8, 10-16, 18-24,
and 26-32. Accordingly, rejections for claims 1-32 are
respectfully maintained.[1]

The above-noted basis for the outstanding rejection is clearly improper, as discussed in further detail below.

First, applicants agree that at page 18, lines 3-10, applicants note that one feature of the invention is monitoring the user's usage of a target application of an application unit. The Examiner's position appears to be that that is the only feature of the present invention, which is clearly incorrect. The claimed invention also performs such a monitoring operation in a stand-alone device that does not require an initial input from a device to which the message of the monitored data is to be communicated. Such a structure in the claimed invention simplifies applicants' device and allows applicants' device to work completely differently than a device such as in Allard in which a connection to the World-Wide-Web (www) must be initially established prior to beginning a monitoring and prior to a communication. The claimed invention simplifies a monitoring operation compared to a device as in Allard.

The outstanding Office Action is obviously incorrect in limiting applicants' invention to the one feature noted in the present specification at page 18, lines 3-10.

With respect to the reliance on Figure 6A in the present specification, that reliance is completely improper and unclear.

First, applicants note that the rejection does not rely on the teachings in Figure 6A but only relies on the teachings in Allard, i.e. the only rejection is based on Allard under 35 U.S.C. § 102. If the Examiner is arguing a different rejection than stated in the outstanding Office Action, that different rejection should have been made.

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[1] Office Action of November 19, 2003, page 3, second and third paragraphs.

Also, the fact that the disclosed structure of the claimed invention is "inherently capable to send and manage bi-directional" data is completely irrelevant to the issue at hand. The fact remains that the claimed invention operates to perform the monitoring of a user selecting operations on an interface and to send a log of that monitored data without requiring a communication from a device to which the monitored data is to be sent. Of course a connection *could* be made for the device of the present invention to operate differently, but that is always the case in every invention. A device could always be modified to operate differently than it actually operates. Such an observation in the Office Action is completely irrelevant to the claimed invention.
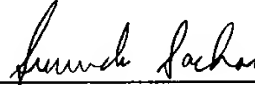
Stated another way, under the interpretation noted in the Office Action a unidirectional communication could not be claimed if in any device a communication medium disclosed in a patent specification was capable of bi-directional communication. Thereby, under the interpretation stated in the Office Action, if a communication disclosed in a patent specification was a wireless communication or a wired communication, etc., a unidirectional communication could not be claimed because the air and a wire (the communication mediums) are inherently capable of bi-directional communication. Clearly such a position in the Office Action is erroneous.

In such ways, it is clear that each of independent claims 1, 9, 17, and 25, and the claims dependent therefrom, distinguish over the teachings in Allard.

As no other issues are pending in this application, it is respectfully submitted that the

present application is now in condition for allowance, and it is hereby respectfully requested

that this case be passed to issue.

Respectfully submitted,

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